



JAW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/814,490
	Filing Date	March 29, 2004
	First Named Inventor	Johnson, Jr.
	Art Unit	2861
	Examiner Name	as yet unknown
Total Number of Pages in This Submission	Attorney Docket Number	010083.02

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Form 1449 <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Supplemental Application Data Sheet <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) listed below: Postcard References
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Kosan Biosciences Incorporated	
Signature		
Printed name	Yuan Chao	
Date	October 11, 1005	Reg. No. 32,118

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Nancy Impey	Date October 11, 1005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Appl'n of: Johnson, Jr.

Att'y Ref. No.: 010083.02

Appl'n No.: 10/814,490

Filed: March 29, 2004

Group Art Unit: 2861

Examiner: (as yet unknown)

Title: DEVICES, METHODS, AND
COMPOSITIONS TO PREVENT
RESTENOSIS

Mailing Address: Kosan Biosciences, Inc.
3832 Bay Center Place
Hayward, CA 94545

Supplemental Information Disclosure Statement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Supplemental Information Disclosure Statement ("SIDS") is submitted to the Patent Office in accordance with the duty of candor and good faith under 37 CFR §1.56. The Examiner is requested to consider the cited information in the examination of this application.

The cited information is listed in the accompanying list, submitted in duplicate. Each item of information is identified there by a unique "Item No." (A01, A02, ..., B01, ..., etc.) The Examiner is requested to return an initialed and signed copy of the list, indicating whether each item of cited information has been considered or not.

Copies of US patents and published applications are not being furnished with this SIDS, in accordance with the revisions to 37 CFR §1.98(2) as announced in the Federal Register, vol. 69, no. 182, pp. 56482-56547 (Sep. 21, 2004). If the Examiner should need copies of any of such patents or patent applications, they will be provided upon request.

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date given below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name of person signing certificate:

Nancy Impey

Signature:

Nancy Impey

Date:

10/11/2005

Each item of information in this SIDS was cited in the Search Report for the PCT counterpart of this application, a copy of which is enclosed. In addition to the listed items, the Search Report also cited Santi *et al.*, US 2003/0114450 A1 and Carlyle *et al.*, US 2002/0127263 A1, already of record.

The citation of a particular item of information is not intended to be, and should not be construed as, an admission that such item of information is material to patentability as defined in 37 CFR §1.56 or qualifies as "prior art" within the meaning of applicable law. The materiality and "prior art" status of any item of information is a matter to be resolved during examination.

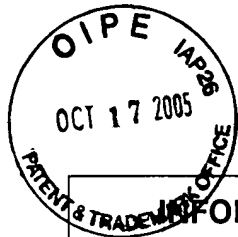
This SIDS is submitted under the provisions of 37 CFR §1.97(b)(3), that is, before the mailing of a first Office Action on the merits. Therefore, it is believed that no fee, certification or other formality is required. However, in the event a fee is required, the Commissioner is authorized to charge such fee (including but not limited to any fee(s) that might be required under 37 C.F.R. §§1.16, 1.17, or 1.18) against Deposit Account No. 50-2544.

Consideration of the cited information in the examination of this application is respectfully requested.

Respectfully submitted,

Oct. 11, 2005
Date

Yuan Chao
Yuan Chao
Reg. No. 32,118
Telephone (510) 731-5156
Facsimile (510) 731-5143



**INFORMATION DISCLOSURE STATEMENT
IN AN APPLICATION:
LIST OF ART CITED**

<i>Docket No.</i> 010083.02	<i>Application Number:</i> 10/814,490
<i>First Named Inventor:</i> Johnson, Jr.	
<i>Filing Date:</i> Mar. 29, 2004	<i>Group Art Unit:</i> 2861

US PATENTS AND PUBLISHED APPLICATIONS

Examiner Initial	Item No.	Document Number	Issue/Pub. Date (mm/dd/yyyy)	First Name Inventor	Cited at (if cited in specification)
	A36	US 2002/0061326 A1	05/23/02	Li	
	A37	US 2003/0045711 A1	03/06/03	Ashley	

**** END OF LIST ****

<i>Examiner Signature</i>	<i>Date considered</i>
---------------------------	------------------------

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Please include copy of this form with next communication to the applicant.

Item No. is Applicant's unique citation designation number for each document.